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February 24, 2003

PAID T.R.A.

Chk # 26762

Amount 25.00

Rcvd By JR

Date 2-26-03

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TN REGULATORY AUTHORITY  
DOCKET ROOM

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\*Of Counsel

Honorable Chairman Sara Kyle  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

VIA FEDERAL EXPRESS

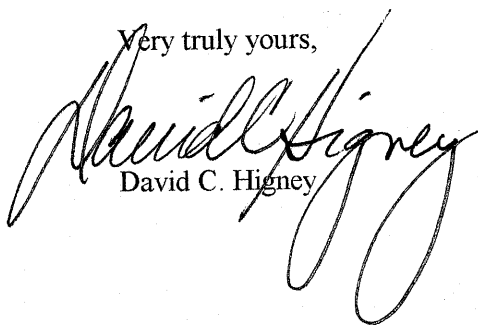
Re: Docket No. 03-00118  
Chattanooga Manufacturers Association's Petition to Intervene

Dear Chairman Kyle:

Enclosed for filing is the original and fourteen (14) copies of the above-referenced Petition to Intervene filed on behalf of the Chattanooga Manufacturers Association. Please stamp "Filed" one copy of the petition and return it to the undersigned in the envelope provided. Also, enclosed is this firm's check, number 26762, in the amount of Twenty-Five Dollars (\$25.00) to satisfy the filing fee.

Thank you for your assistance with regard to this matter. Should you have any questions concerning any of the enclosed, please do not hesitate to contact me.

Very truly yours,

  
David C. Higney

DCH:jb  
Encl.

cc: Mr. Ray Childers (w/encl.)  
Henry M. Walker, Esq. (w/encl.)  
T.G. Pappas, Esq. (w/ encl.)  
Vance Broemel, Esq. (w/ encl.)

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**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE:

PETITION OF TENNESSEE-  
AMERICAN WATER COMPANY TO  
CHANGE AND INCREASE CERTAIN  
RATES AND CHARGES ...

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DOCKET NO. 03-00118

**PETITION TO INTERVENE BY THE  
CHATTANOOGA MANUFACTURERS ASSOCIATION**

Comes the Chattanooga Manufacturers Association (hereinafter "CMA"), by and through its counsel, pursuant to *Tenn. Code Ann.* §65-2-107 and *Rule 1220-1-2-.08* of the *Tennessee Regulatory Authority* (the "Authority"), and respectfully petitions to intervene in this docket as a party of record on behalf of CMA's members and certain consumers that will be adversely affected by the proposal to change and increase certain rates and charges submitted by the Tennessee-American Water Company ("TAWC" or "the Company"). In support of its petition, CMA states as follows:

1. CMA is a one-hundred year old trade association representing over 250 manufacturers and businesses supporting and servicing the manufacturing sector. CMA has substantial and vital interests in the outcome of the Authority's action in this docket and desires to intervene in order to protect those interests on behalf of its members and those similarly situated.

2. The Authority previously has granted CMA intervention status in similar utility rate-making cases including, but not limited to, contested cases involving the TAWC and those involving Chattanooga Gas Company. CMA members' rights and interests are not adequately represented by another party in this docket at the present time.

3. In the present docket, the Company seeks approval by the Authority to increase certain rates and charges, including increases that will adversely affect ratepayers that are members

of CMA and other similarly situated entities. The Company's petition seeks an extraordinary increase in revenue (\$3.866 million annually) that CMA avers is not fair or reasonable, nor in the best interests of CMA members and other ratepayers.

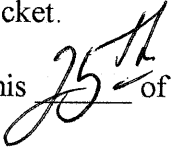
4. Accordingly, CMA requests to intervene and participate in this case pending the rejection, modification or approval of the petition presently filed by the Company before the Authority.

5. If its Petition to Intervene is granted, all notices, correspondence and copies of orders and other materials should be addressed as follows, and the following should be placed upon the Official Service List in this proceeding:

David C. Higney, Esq.  
Grant, Konvalinka & Harrison, P.C.  
633 Chestnut Street, 9<sup>th</sup> Floor  
Chattanooga, Tennessee 37450-0900  
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[dchigney@gkhpc.com](mailto:dchigney@gkhpc.com) (E-mail)

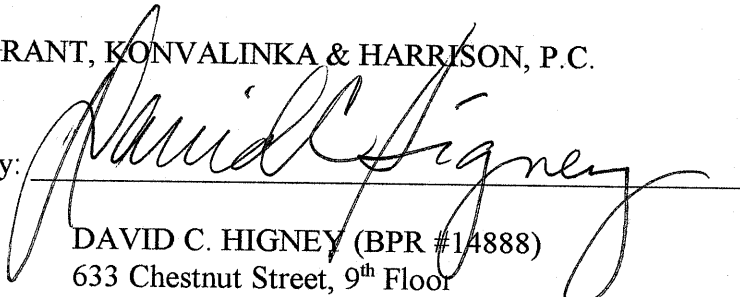
Henry M. Walker, Esq.  
Boult, Cummings, Conners & Berry, PLC  
414 Union Street, Suite 1600  
Nashville, Tennessee 37219  
615-244-2582 (Phone)  
615-252-6380 (Fax)  
[hwalker@boultcummings.com](mailto:hwalker@boultcummings.com) (E-mail)

**WHEREFORE**, the Chattanooga Manufacturers Association respectfully requests that the Authority enter an Order granting this Petition to Intervene and allow CMA to become an intervening party of record in this docket.

Respectfully submitted this  of February, 2003.

GRANT, KONVALINKA & HARRISON, P.C.

By:

  
DAVID C. HIGNEY (BPR #14888)  
633 Chestnut Street, 9<sup>th</sup> Floor  
Chattanooga, Tennessee 37450  
423-756-8400

- and -

BOULT, CUMMINGS, CONNERS & BERRY, PLC

HENRY M. WALKER, Esq.  
414 Union Street, Suite 1600  
Nashville, Tennessee 37219  
615-244-2582

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this 25<sup>th</sup> day of February, 2003, served the foregoing Petition to Intervene of the Chattanooga Manufacturers Association either by fax, overnight delivery service or first class mail, postage prepaid, to all parties of record at their addresses shown below:

T. G. Pappas, Esq.  
Bass, Berry & Sims, PLC  
2700 First American Center  
Nashville, Tennessee 37238-2700

Vance Broemel, Esq.  
Consumer Advocate Division  
Office of the Attorney General  
Cordell Hull Building  
426 5<sup>th</sup> Avenue, North  
Nashville, Tennessee 37243-0500

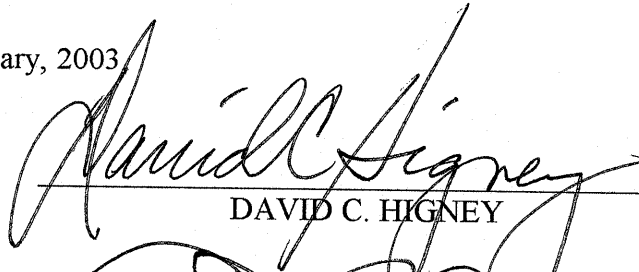
  
GRANT, KONVALINKA & HARRISON, P.C.

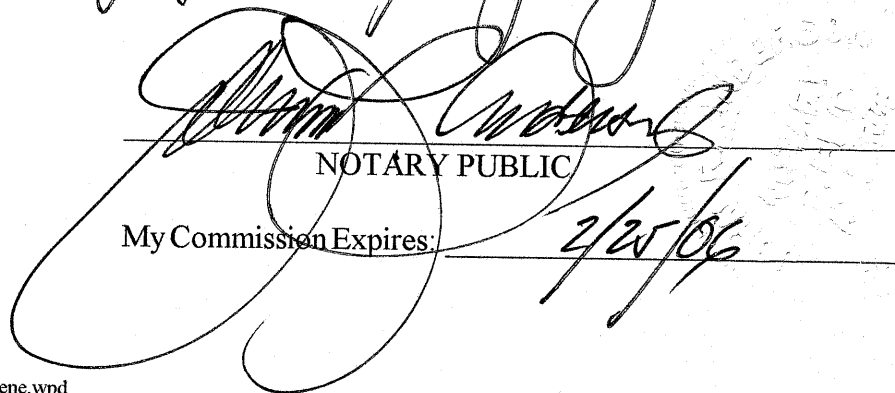
**VERIFICATION**

**STATE OF TENNESSEE:  
COUNTY OF HAMILTON:**

Personally appeared before the undersigned officer, duly authorized to administer oath in the State of Tennessee, David C. Higney, who, after being duly sworn, deposes and says he is an attorney for Chattanooga Manufacturers Association in this matter and that the facts contained in the foregoing Petition to Intervene are true and correct to the best of his knowledge, information and belief.

This 25<sup>th</sup> day of February, 2003

  
\_\_\_\_\_  
DAVID C. HIGNEY

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

2/25/06